

MINUTES OF A REGULAR MEETING OF THE ALAMEDA CORRIDOR TRANSPORTATION AUTHORITY GOVERNING BOARD HELD IN THE BOARD ROOM OF THE HARBOR DEPARTMENT ADMINISTRATION BUILDING AT 925 HARBOR PLAZA, LONG BEACH, CALIFORNIA, ON APRIL 10, 2008, AT 9:00 A.M.

Members present:

Bonnie Lowenthal, City of Long Beach
Janice Hahn, City of Los Angeles
Steve Rubin, Port of Long Beach
Douglas Krause, Port of Los Angeles
Geraldine Knatz, Port of Los Angeles

Members absent:

Don R. Knabe, Los Angeles County
Metropolitan Transportation Authority
James C. Hankla, Port of Long Beach

Also present:

John T. Doherty, ACTA, Chief Executive Officer
James P. Preusch, ACTA, Chief Financial Officer
Art Goodwin, ACTA, Director of Planning
Charles Gale, ACTA, Co-General Counsel
Heather Burns, ACTA, Co-General Counsel

CHAIRPERSON LOWENTHAL PRESIDED AS CHAIR.

APPROVAL OF MINUTES.

Ms. Knatz moved, seconded by Mr. Rubin and unanimously carried, the minutes of the regular and special meeting of February 14, 2008, were approved.

Mr. Doherty stated that a Press Release will be issued April 10, 2008, announcing that a major milestone was reached as the 100,000th train uses the Alameda Corridor.

Chairperson Lowenthal asked about the status of SR-47.

Mr. Doherty stated that, at the request of the Governing Board, ACTA initiated a health risk assessment, which is due to ACTA next week. The information will be sent to the Governing Board under a separate memo indicating the findings.

CONSENT CALENDAR - ITEMS NOS. 1-5.

1. MONTHLY FINANCIAL REPORTS FOR THE PERIOD ENDED FEBRUARY 29, 2008 – RECEIVED AND FILED.

Communication from James Preusch, Chief Financial Officer, dated April 10, 2008, recommending that the monthly financial reports for the period ended February 29, 2008, be received and filed, was presented to the Governing Board.

2. STATE HISTORIC PRESERVATION OFFICER – SCHUYLER HEIM BRIDGE – MEMORANDUM OF AGREEMENT – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2008, recommending authorization for the Chief Executive Officer to execute a Memorandum of Agreement with State Historic Preservation Officer concerning the treatment of historic properties required for the SR-47 Port Access Expressway/Heim Bridge Replacement Project, was presented to the Governing Board.

3. CALTRANS – COOPERATIVE AGREEMENT – SR-47 PORT ACCESS EXPRESSWAY/HEIM BRIDGE REPLACEMENT PROJECT - APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2008, recommending authorization for the Chief Executive Officer to execute a Cooperative Agreement with Caltrans for final design of the SR-47 Port Access Expressway/Heim Bridge Replacement Project, was presented to the Governing Board.

4. UTILITY RELOCATION WORK ORDERS FOR PHASE 2 – THENARD TRACK CONNECTION PROJECT - APPROVED

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2008, recommending authorization for the Chief Executive Officer to issue utility relocation Work Orders for Phase 2 of the Thenard Track Connection Project in the not-to-exceed amount of \$950,000 as follows: 1) Shell Oil - \$550,000; 2) Warren E&P - \$300,000; and 3) DWP - \$100,000, was presented to the Governing Board.

5. INCREASE IN ANNUAL REIMBURSEMENT FOR ACTA CO-GENERAL COUNSEL – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2008, recommending authorization for the Chief Executive Officer to increase the annual reimbursement for each of ACTA's Co-General Counsels from \$100,000 per year to \$125,000 annual sum per city beginning July 1, 2008, was presented to the Governing Board.

Ms. Knatz moved, seconded by Ms. Hahn, that the communications be received and filed and that Items Nos. 1-5 be approved as recommended. Carried by the following vote:

AYES: Members: Krause,Knatz,Rubin,Hahn,Lowenthal
NOES: None

ABSENT: Hankla, Knabe

6. AGREEMENTS FOR ACTA LEGAL SERVICES – LAID OVER.

Communication from James P. Preusch, Chief Financial Officer, dated April 4, 2008, recommending authorization for the Chief Executive Officer to enter into agreements with eleven law firms for ACTA legal services, was presented to the Governing Board.

Ms. Hahn moved, seconded by Mr. Rubin and unanimously carried, that Item No. 6 be laid over until the next ACTA Governing Board meeting.

7. ELECTRIC CONTAINER MOVEMENT SYSTEM – INFORMATION ITEM.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2008, providing information the Governing Board requested at its February 2008 meeting that staff prepare an approach to advancing the development of an electric container movement system for the Ports to various local and regional destinations, was presented to the Governing Board for information only.

Ms. Knatz stated that Port of Los Angeles staff suggested there be a joint study session with Board Members from the Ports of Los Angeles and Long Beach, and ACTA to get all interested parties up to speed on what's being done on an electric container movement system development plan.

Ms. Hahn stated that she would like to have the Electric Container Movement System Development Plan as one of ACTA's expanded mission goals.

Ms. Hahn asked to have economic development included in the scope of work.

8. FUNDING AGREEMENT WITH THE PORTS – CHANGE ORDER WITH THE ALAMENDA CORRIDOR ENGINEERING TEAM – INITIAL EVALUATION OF ELECTRIC CONTAINER MOVEMENT SYSTEM – APPROVED.

Communication from John T. Doherty, Chief Executive Officer, dated April 4, 2008, recommending authorization for the Chief Executive Officer to execute a funding agreement with the Ports for development activities for an electric container movement system; and authorize the Chief Executive Officer to issue a Change Order to Agreement No. 27 with the Alameda Corridor Engineering Team, in the not-to-exceed amount of \$200,000, to initiate development planning in FY08 for an electric container movement system, was presented to the Governing Board.

Mr. Rubin asked if ACTA staff, along with staff from the Ports of Los Angeles and Long Beach, are actually going to flush out a scope of work before the \$200,000 is expended.

Mr. Doherty confirmed this would be the process.

Mr. Rubin asked if the Alameda Corridor Engineering Team will actually be doing the work or if it would be contracted out.

Mr. Doherty stated that once a plan is flushed out, ACTA staff will come back to the Governing Board with the outcome of the plan.

Ms. Knatz moved, seconded by Mr. Rubin, that the Chief Executive Officer be authorized to execute a funding agreement with the Ports for development activities for an electric container movement system; and that the Chief Executive Officer be authorized to issue a Change Order to Agreement No. 27 with the Alameda Corridor Engineering Team, in the not-to-exceed amount of \$200,000, to initiate development planning in FY08 for an electric container movement system. Carried by the following vote:

AYES: Members: Krause, Knatz, Rubin, Hahn, Lowenthal
NOES: None
ABSENT: Hankla, Knabe

At 9:30 a.m., Bonnie Lowenthal left the meeting.

9. FY 2009 PRELIMINARY BUDGET – INFORMATION ITEM.

Communication from James P. Preusch, Chief Financial Officer, dated April 10, 2008, providing the preliminary FY09 budget schedules for the Governing Board's information and review prior to adoption at the June 2008 meeting, was presented to the Governing Board for information only.

Mr. Rubin requested that the sources of funds be provided in the final budget and to identify the current fund balances.

10. LEGISLATIVE UPDATE – INFORMATION ITEM.

Mr. Doherty gave a presentation on the CTC TCIF Corridor Programming (funding for 29 grade separations).

11. FEBRUARY PERFORMANCE UPDATE – INFORMATION ITEM.

Mr. Doherty gave a February performance update.

12. PUBLIC COMMENT.

There was no one present to address the Governing Board.

13. CLOSED SESSION - CANCELLED.

14. ADJOURNMENT

At 9:45 a.m., the meeting was adjourned sine die.